

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
STEPHANIE A. GALLAGHER
UNITED STATES DISTRICT JUDGE
MDD_SAGchambers@mdd.uscourts.gov

101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
(410) 962-7780

April 5, 2024

LETTER ORDER

Re: Thaddeus Moore v. Subba Reddy, et al.
Civil Case No. SAG-24-361

Dear Plaintiff:

This Court has reviewed the Complaint, Supplement to Complaint, and Request for Preliminary Injunction and Hearing filed in the above-captioned matter. ECF 1, 7, 8. “Federal courts are not courts of general jurisdiction; they have only the power that is authorized by Article III of the Constitution and the statutes enacted by Congress pursuant thereto.” *Bender v. Williamsport Area Sch. Dist.*, 475 U.S. 534, 541 (1986). This Court has an obligation to ensure that it has subject-matter jurisdiction over its cases by raising the issue with the parties. *Id.*

Federal courts exercise two primary types of jurisdiction: diversity jurisdiction pursuant to 28 U.S.C. § 1332 and federal question jurisdiction pursuant to 28 U.S.C. § 1331. Diversity jurisdiction allows cases to proceed in federal court where there is complete diversity of citizenship between plaintiffs and defendants and where the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332. Complete diversity means that none of the plaintiffs may share citizenship with any of the defendants. *Owens-Illinois, Inc. v. Meade*, 186 F.3d 435, 440 (4th Cir. 1999). This case was filed by Thaddeus Moore, a self-represented Maryland resident, against Subba Reddy, a Maryland resident, and Dave Michalski, a Virginia resident. ECF 1. Thus, this Court cannot exercise diversity jurisdiction, since both the plaintiff and one of the defendants are residents of the same state, Maryland. Moreover, in terms of federal question jurisdiction, the Complaint cites only to 42 U.S.C. § 1983 as a cause of action. ECF 1. That statute requires proof of a constitutional violation committed by a person acting under color of state law. *West v. Atkins*, 487 U.S. 42, 48 (1988). Private citizens, like real estate agents and owners of title service companies, do not act under color of state law. Accordingly, this Court does not see any basis for its exercise of federal subject matter jurisdiction over this dispute.

This Court therefore ORDERS Plaintiff to show cause, on or before **April 25, 2024**, why this case should not be dismissed for lack of subject matter jurisdiction.

Despite the informal nature of this letter, it is an Order of the Court and will be docketed as such.

Sincerely yours,

/s/

Stephanie A. Gallagher
United States District Judge